

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: George Tzertzinis, George Feehery, Corinna Tuckey, Christopher Noren, Larry McReynolds, and Yinhua Zhang

Application No.: 10/622,240

Group No.: 1633

Filed: 07/18/2003

Examiner: Popa

For: Methods and Compositions Relating to Gene Silencing

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

REQUEST AND FEE TO DELETE AND/OR
ADD TO ORIGINAL ERRONEOUSLY NAMED OR NOT NAMED
INVENTOR(S) IN—NONPROVISIONAL APPLICATION—DECLARATION
(37 C.F.R. § 1.48(a))

1. This amendment and request is to correct the incorrect original naming of inventor(s) in the declaration under 37 C.F.R. § 1.48(a) as set forth and filed on July 18, 2003.

2. Addition and/or Deletion of Inventor(s)

Add the following previously unnamed person(s) as inventor(s) of this application:
Yinhua Zhang

3. Attachments

Attached is:

(a) A statement from each person being added as an inventor that the error in inventorship occurred without deceptive intention on his or her part. 37 C.F.R. § 1.48(a)(1).

(b) A declaration by each of the actual inventor(s) as required by 37 C.F.R. § 1.63 (or as permitted by §§ 1.42, 1.43, OR 1.47). 37 C.F.R. § 1.48(a)(3).

(c) Written consent of the assignee. 37 C.F.R. § 1.48(a)(5).

4. Fee Payment (37 C.F.R. § 1.17(i))

The fee required by 37 C.F.R. § 1.17(i) is paid as follows:

Authorization is hereby made to charge the amount of \$130.00 to Deposit Account No. 14-0740.

Charge any additional fees required by this paper or credit any overpayment in the manner authorized above.

Date: January 29, 2008

/Harriet M. Strimpel/
Harriet M. Strimpel
Registration No. 37,008
New England Biolabs, Inc.
240 County Road
Ipswich, MA 01938
978-380-7373
Customer No. 28986

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.: 10/622,240

Filing Date: July 18, 2003

Group No.: 1633

Examiner: Popa

Name of Assignee: New England Biolabs, Inc.

Title of Invention: Methods and Compositions Relating to Gene Silencing

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

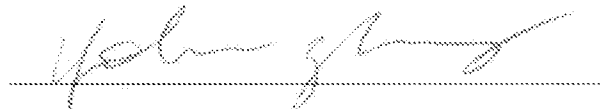
Alexandria, VA 22313-1450

**STATEMENT OF NON-DECEPTIVE INTENT BY PERSON BEING ADDED BY
PETITION TO CHANGE INVENTORSHIP IN PATENT
(37 C.F.R. § 1.324(b)(1))**

I, the person who is being added as an inventor by the petition being submitted to correct the inventorship of this patent application do hereby declare that the inventorship error in failing to include my name as an inventor on this patent occurred without any deceptive intention on my part.

Yinhua Zhang

Dated: 1/24/08



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am an original, first and joint inventor of the subject matter which is claimed and for which a patent is sought on the invention entitled:

Methods and compositions relating to gene silencing

the specification of which was filed on July 18, 2003 as Application No. 10/622,240 and amended on October 4, 2006.

In the event that the filing date and/or Application No. are not entered above at the time I execute this document, and if such information is deemed necessary, I hereby authorize and request my attorneys/agent(s) at **New England Biolabs, Inc.**, to insert above the filing date and/or Application No. of said application.

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by an amendment, if any, specifically referred to herein.

I acknowledge the duty to disclose all information known to me that is material to patentability in accordance with Title 37, Code of Federal Regulations, § 1.56.

FOREIGN PRIORITY CLAIM

I hereby claim foreign priority benefits under Title 35, United States Code § 119(a)-(d) of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

☒ no such foreign applications have been filed

☐ such foreign application have been filed as follows:

EARLIEST FOREIGN APPLICATION(S), IF ANY FILED WITHIN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing	Priority Claimed Under 35 USC 119

ALL FOREIGN APPLICATION(S), IF ANY FILED MORE THAN 12 MONTHS
(6 MONTHS FOR DESIGN) PRIOR TO THIS U.S. APPLICATION

Application Number	Country	Date of Filing

CLAIM FOR BENEFIT OF EARLIER U.S. PROVISIONAL APPLICATIONS

I hereby claim priority benefits under Title 35, United States Code §119(e), of any United States provisional patent application(s) listed below:

- ☐ no such U.S. provisional applications have been filed.
- ☒ such U.S. provisional application have been filed as follows:

Application Number	Date of Filing	Priority Claimed Under 35 USC 119
60/402,769	August 12, 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
60/407,543	August 30, 2002	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
60/467,541	May 2, 2003	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

CLAIM FOR BENEFIT OF EARLIER U.S./PCT APPLICATION(S)

I hereby claim the benefit under Title 35, United States Code, §120 of the United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose all information that is material to patentability in accordance with Title 37, Code of Federal Regulations, §1.56 which became available to me between the filing date of the prior application and the national or PCT international filing date of this application:

- ☒ no such U.S./PCT applications have been filed.
- ☐ such U.S./PCT application have been filed as follows:

Application Number	Relationship	Parent Application	Date of Filing

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby appoint:

All practitioners at Customer Number 28986 (listed here):

Harriet M. Strimpel, D.Phil. 37,008

all of **New England Biolabs, Inc.**, jointly, and each of them severally, my attorneys at law/patent agent(s), with full power of substitution, delegation and revocation, to prosecute this application, to make alterations and amendments therein, to receive the patent, and to transact all business in the U. S. Patent and Trademark Office connected therewith.

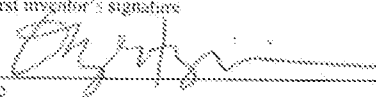
The undersigned hereby authorizes the U.S. attorney or agent named herein to accept and follow instructions from New England Biolabs, Inc. as to any action to be taken in the United States Patent and Trademark Office regarding this application without direct communication between the U.S. attorney or agent and the undersigned. In the event of a change in the persons from whom instructions may be taken, the U.S. attorney or agent named herein will be so notified by the undersigned.

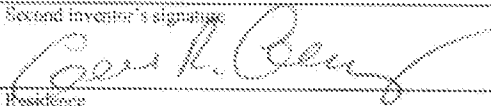
Please mail all correspondence to Harriet M. Strimpel, D.Phil., whose address is:

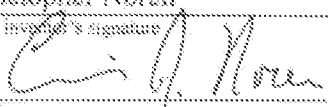
New England Biolabs, Inc

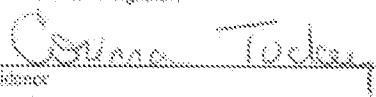
Please direct telephone calls to: Harriet M. Strimpel, D.Phil. at (978) 380-7373.

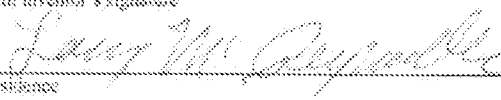
Please direct facsimiles to: (978) 356-5094

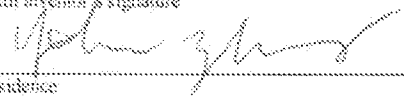
Full name of sole or first inventor George Tzertzinis	
Sole or first inventor's signature 	Date 1/24/08
Residence Cambridge, Massachusetts	
Citizenship Greece	
Mailing Address 10 Worcester Street #2 Cambridge, Massachusetts 02139	

Full name of second inventor, if any George Fechery	
Second inventor's signature 	Date 1/24/08
Residence West Newbury, Massachusetts	
Citizenship US	
Mailing Address 540 Main Street West Newbury, Massachusetts 01985	

Full name of third inventor, if any Christopher Noren	
Third inventor's signature 	Date 1/24/08
Residence Boxford, Massachusetts	
Citizenship US	
Mailing Address 39 Adams Road Boxford, Massachusetts 01921	

Full name of fourth inventor, if any Corinna Tuckey	
Fourth inventor's signature 	Date 1/24/08
Residence San Francisco, California	
Citizenship Canada	
Mailing Address 2327 38th Avenue - Upper Unit San Francisco, California 94116	

Full name of fifth inventor, if any Larry McReynolds	
Fifth inventor's signature 	Date Jan 24, 2008
Residence Beverly, MA	
Citizenship US	
Mailing Address 25 Pickman Road Beverly, Massachusetts 01915	

Full name of sixth inventor, if any Yinhua Zhang	
Sixth inventor's signature 	Date 1/24/08
Residence North Reading, Massachusetts	
Citizenship People's Republic of China	
Mailing Address 4 Pine Ridge Road North Reading, Massachusetts 01864	

Full name of seventh inventor, if any	
Seventh inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

Full name of eighth inventor, if any	
Eighth inventor's signature	Date
Residence	
Citizenship	
Mailing Address	

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: George Tzertzinis, George Feehery, Corinna Tuckey, Christopher Noren, Larry McReynolds, and Yinhua Zhang

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Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

**ASSENT OF ASSIGNEE TO CORRECTION
AND/OR ADDITION OF INVENTOR(S)**

Name of Assignee:

New England Biolabs, Inc.

Address of Assignee:

240 County Road
Ipswich, MA 01938

Assignment was recorded on July 18, 2003 at:

Reel 014316

Frame 0124

FORM PTO 1595 is attached.

Assignee hereby assents to the correction of inventorship filed herewith.

RIGHT OF ASSIGNEE TO TAKE ACTION

A "STATEMENT UNDER 37 C.F.R. § 3.73(b)" is attached.

/Harriet M. Strimpel/

Signature

Harriet M. Strimpel, Chief Patent Counsel



ACT M. NKB-2084-45
NEW ENGLAND BIOLABS, INC.
32 TOZER RD., BEVERLY, MA 01915
Date Rec'd 2/13/04

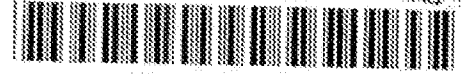
UNITED STATES PATENT AND TRADEMARK OFFICE

UNDER SECRETARY OF COMMERCE FOR INTELLECTUAL PROPERTY AND
DIRECTOR OF THE UNITED STATES PATENT AND TRADEMARK OFFICE

FEBRUARY 10, 2004

PTAS

NEW ENGLAND BIOLABS, INC.
HARRIET M. STRIMPEL
32 TOZER ROAD
BEVERLY, MASSACHUSETTS 01915



102510779A

UNITED STATES PATENT AND TRADEMARK OFFICE
NOTICE OF RECORDATION OF ASSIGNMENT DOCUMENT

THE ENCLOSED DOCUMENT HAS BEEN RECORDED BY THE ASSIGNMENT DIVISION OF THE U.S. PATENT AND TRADEMARK OFFICE. A COMPLETE MICROFILM COPY IS AVAILABLE AT THE ASSIGNMENT SEARCH ROOM ON THE REEL AND FRAME NUMBER REFERENCED BELOW.

PLEASE REVIEW ALL INFORMATION CONTAINED ON THIS NOTICE. THE INFORMATION CONTAINED ON THIS RECORDATION NOTICE REFLECTS THE DATA PRESENT IN THE PATENT AND TRADEMARK ASSIGNMENT SYSTEM. IF YOU SHOULD FIND ANY ERRORS OR HAVE QUESTIONS CONCERNING THIS NOTICE, YOU MAY CONTACT THE EMPLOYEE WHOSE NAME APPEARS ON THIS NOTICE AT 703-308-9723. PLEASE SEND REQUEST FOR CORRECTION TO: U.S. PATENT AND TRADEMARK OFFICE, ASSIGNMENT DIVISION, BOX ASSIGNMENTS, CG-4, 1213 JEFFERSON DAVIS HWY, SUITE 320, WASHINGTON, D.C. 20231.

RECORDATION DATE: 07/18/2003

REEL/FRAME: 014316/0124
NUMBER OF PAGES: 3

BRIEF: ASSIGNMENT OF ASSIGNOR'S INTEREST (SEE DOCUMENT FOR DETAILS).

ASSIGNOR:

TZERTZINIS, GEORGE

DOC DATE: 07/17/2003

ASSIGNOR:

FEEHRY, GEORGE

DOC DATE: 07/17/2003

ASSIGNOR:

TUCKEY, CORINNA

DOC DATE: 07/17/2003

ASSIGNOR:

NOREN, CHRISTOPHER

DOC DATE: 07/17/2003

ASSIGNOR:

MCREYNOLDS, LARRY

DOC DATE: 07/17/2003

014316/0124 PAGE 2

ASSIGNEE:

NEW ENGLAND BIOLABS, INC.
32 TOZER ROAD
BEVERLY, MASSACHUSETTS 01915

SERIAL NUMBER: 10622240
PATENT NUMBER:

FILING DATE: 07/18/2003
ISSUE DATE:

ALLYSON PURNELL, EXAMINER
ASSIGNMENT DIVISION
OFFICE OF PUBLIC RECORDS

1-31-92

U.S. Department of Commerce

Patent and Trademark Office

SHEET

R

07-30-2003



102510779

07/18/03

10/622240

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

1. Name of conveying party(ies): 7-18-03

George Tzertzinis

Christopher Noren

George Feehery

Larry McReynolds

Corinna Tuckey

2. Name and address of receiving party(ies):

Name: New England Biolabs, Inc.

Internal Address: _____

Street Address: 32 Tozer RoadCity: Beverly State: MA Zip: 01915

Additional name(s) & address(es) attached? _____

Additional name(s) of conveying party(ies) attached? No

3. Nature of Conveyances:

☒ Assignment☐ Merger☐ Security Agreement☐ Change of Name☐ Other: _____Execution Date: July 17, 2003

4. Application number(s) or patent number(s):

If this document is being filed together with a new Application, the execution date of the application is: 7/17/2003

A. Patent Application No.(s)

B. Patent No.(s)

Additional numbers attached? NO

5. Name and address of party to whom correspondence concerning document should be mailed:

Harriet M. Strimpel

Name: _____

New England Biolabs, Inc.

Street Address: 32 Tozer RoadCity: Beverly State: MA Zip: 019156. Total number of applications and patents involved: one7. Total fee (37 CFR 3.41): _____ \$ 40.00☒ Enclosed☐ Authorized to be charged to deposit account8. Deposit Account Number: 14-0740

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Harriet M. Strimpel (Reg. 37008)

Name of Person Signing

Signature

Date

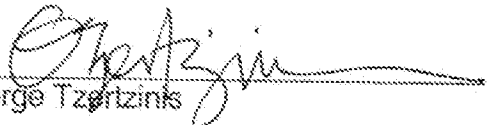
Total number of pages comprising cover sheet: one

ASSIGNMENT

We, George Tzertzinis, George Feehery, Corinna Tuckey, Christopher Noren and Larry McReynolds for good and valuable consideration from New England Biolabs, Inc., a Massachusetts Corporation, having its principal place of business in Beverly, Massachusetts, hereinafter called the Assignee, receipt of which is hereby acknowledged, do hereby sell, assign and transfer unto the Assignee, its successors and assigns, the entire right, title, and interest in, to and under an application for Letters Patent of the United States Serial No. _____, signed by me on uneven date herewith for improvements in **METHODS AND COMPOSITIONS RELATING TO GENE SILENCING** including all priority rights ensuing therefrom, and the inventions and any of them therein set forth and described, and any and all Letters Patent of the United States and of countries foreign thereto which may be granted thereon or therefor, together with the right to apply for such Letters Patent.

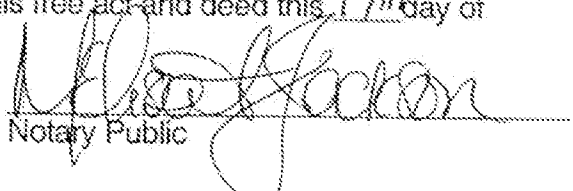
And for the above consideration I agree promptly upon request of the Assignee, its successors or assigns, to execute and deliver without further compensation any power of attorney, assignment, application, whether original, divisional, continuation or reissue, or other papers which may be necessary or desirable to secure to the Assignee, said application and all patent rights therein, in the United States and in any country foreign thereto.

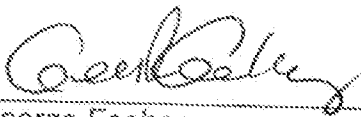
IN WITNESS THEREOF, I, George Tzertzinis, hereunder set my hand and seal this 17th day of July, 2003, and I, George Feehery, hereunder set my hand and seal this 17th day of July, 2003 and, I, Corinna Tuckey, hereunder set my hand and seal this 17th day of July, 2003, and I, Christopher Noren, hereunder set my hand and seal this 17th day of July, 2003 and I, Larry McReynolds, hereunder set my hand and seal this 17th day of July, 2003.


George Tzertzinis

Commonwealth (State) of Massachusetts
County of Essex ss.

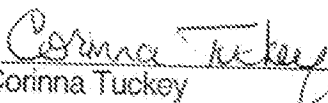
Before me personally appeared said George Tzertzinis and acknowledged the foregoing instrument of assignment to be [her] his free act and deed this 17th day of July, 2003.


Notary Public


George Feehery

Commonwealth (State) of Massachusetts
County of Essex ss.
Before me personally appeared said George Feehery and acknowledged the foregoing
instrument of assignment to be [her] his free act and deed this 17th day of
July, 2003.


Notary Public


Corinna Tuckey

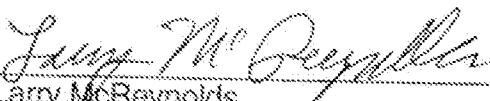
Commonwealth (State) of Massachusetts
County of Essex ss.
Before me personally appeared said Corinna Tuckey and acknowledged the foregoing
instrument of assignment to be [her] his free act and deed this 17th day of
July, 2003.


Notary Public


Christopher Noren

Commonwealth (State) of Massachusetts
County of Essex ss.
Before me personally appeared said Christopher Noren and acknowledged the
foregoing instrument of assignment to be [her] his free act and deed this 17th day of
July, 2003.


Notary Public


Larry McReynolds

Commonwealth (State) of Massachusetts
County of Essex ss.
Before me personally appeared said Larry McReynolds and acknowledged the
foregoing instrument of assignment to be [her] his free act and deed this 17th day of
July, 2003.


Notary Public

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of: George Tzertzinis, George Feehery, Corinna Tuckey, Christopher Noren, Larry McReynolds, and Yinhua Zhang

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P.O. Box 1450

Alexandria, VA 22313-1450

**STATEMENT UNDER 37 C.F.R. § 3.73(b)--
ESTABLISHING RIGHT OF ASSIGNEE TO TAKE ACTION**

1. The assignee(s) of the entire right, title and interest hereby seek(s) to take action in the PTO in this matter.

IDENTIFICATION OF ASSIGNEE

2. Name of assignee: New England Biolabs, Inc.
Type of assignee: Corporation

PERSON AUTHORIZED TO SIGN

3. Name of person authorized to sign on behalf of assignee: Harriet M. Strimpel
Title of person authorized to sign: Chief Patent Counsel

I, the person signing below, state that I am empowered to sign this statement on behalf of the assignee.

BASIS OF ASSIGNEE'S INTEREST

Ownership by the assignee is established as follows:

A.

1. An assignment from the inventor(s) of the matter identified above, which was recorded in the PTO at Reel 0143, Frame 0124.

COPIES OF DOCUMENTS IN CHAIN OF TITLE

The evidence of the chain of title was submitted on July 18, 2003 for recordation pursuant to §3.11.

Copies of the assignment(s) or other document(s) in the chain of title are attached as follows:

A 1

Date: January 29, 2008

/Harriet M. Strimpel/
Harriet M. Strimpel, D.Phil.
Registration No. 37,008
New England Biolabs, Inc.
240 County Road
Ipswich, MA 01938
978-380-7373
Customer No. 28986